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*Plenary sitting*

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B8-0160/2015

## MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on Burundi, the case of Bob Rugurika  
(2015/2561(RSP))

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on behalf of the S&D Group

**B8-0160/2015**

**European Parliament resolution on Burundi, the case of Bob Rugurika  
(2015/2561(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Burundi,
  - having regard to the Cotonou Agreement,
  - having regard to the UN Security Council statement of 10 April 2014 on the situation in Burundi,
  - having regard to the Arusha Peace and Reconciliation Agreement,
  - having regard to the Council conclusions on the Great Lakes region of 22 July 2014,
  - having regard to the reports of the UN Office in Burundi (BNUB),
  - having regard to the EU guidelines on Human Rights Defenders and on Freedom of Expression, as well as the June 2014 Council conclusions committing to intensify work on HRDs;
  - having regard to the Universal Declaration of Human Rights,
  - having regard to the International Covenant on Civil and Political Rights,
  - having regard to the African Charter on Human and Peoples' Rights,
  - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. Whereas Burundian authorities arrested and detained in isolation the human rights defender Bob Rugurika, director of Radio publique africaine (RPA), on January 20, 2015, days after his radio station broadcast a series of investigative reports into the September 2014 murder of three elderly Italian nuns in the country
- B. Whereas the broadcasts included allegations about the involvement of senior intelligence officials in the murder who were offered the right to comment prior to the broadcast.
- C. Whereas Burundian authorities have produced no evidence to justify the detention of Mr Rugurika, who faces up to 20 years in prison if found guilty and whose arrest

forms part of a pattern of government attacks on freedom of expression, targeting journalists, activists, and members of political parties; whereas these attacks have escalated in the run-up to elections in Burundi in May 2015.

- D. Whereas international human rights law, including the African Charter on Human and Peoples' Rights and the International Covenant on Civil and Political Rights, both ratified by Burundi, clearly state that pretrial detention should be based on credible legally founded charges, whereas the Burundian authorities have not produced any evidence of the need to detain Rugurika.
- E. Whereas this is not the first attempt of the Burundian government to stop the media and human rights groups from publishing sensitive information and reporting on alleged government abuses; Whereas despite this persistent harassment, journalists have not shied away from documenting and reporting on controversial subjects including Pierre Claver Mbonimpa, a leading human rights defender was arrested in May 2014 for comments he made on Radio Publique Africaine, only later to be released.
- F. Whereas in June 2013, Burundi adopted a restrictive press law restricting media freedoms, limiting subjects on which journalists are allowed to report, potentially criminalizing reporting on subjects such as public order and security.
- G. Whereas the right to freedom of expression is guaranteed by the Constitution and international and regional treaties ratified by Burundi and also part of the National Strategy for good governance and the fight against corruption, an essential condition for the holding of free and fair elections in 2015 and for the result to be accepted by all the participants
- H. Whereas, free, fair, transparent and peaceful electoral process in 2015 will enable the country, which is still in a post-conflict situation, to emerge from the political impasse created by the electoral process of 2010
- I. Whereas, following the resolution of the European Parliament of 18 September 2014, in particular the reference made to Article 96 of the Cotonou Agreement, EU representatives have insisted on the need for inclusive participation in the electoral process by all the political forces of the country on the lines of the Road Map and the Code of Conduct
- J. Whereas the Burundi Government confirmed its commitment to put into effect to ensure that the negotiations with all the political forces in the country respect these two documents, and repeated its request to the EU and its member states to provide material and financial support to the current electoral process and to send observer missions to Burundi before, during and after the elections

- K. whereas the EU has recently allocated EUR 432 million to Burundi from the European Development Fund 2014-2020, to assist with improving governance and civil society, among other things;
- L. whereas Burundi continues to face its worst political crisis since it emerged from a 12-year civil war in 2005, and whereas this is once again posing threats not only to the country's internal stability, but also to that of its neighbours in an already volatile region of the African continent;
1. Condemns the unjustified detention of Bob Rugurika and calls for his immediate release whilst authorities continue their investigations into the tragic killing of the three Italian nuns and bringing those responsible to justice; calls equally for the setting-up of an independent international inquiry on the murder of the three nuns.
  2. Denounces all human rights violations in Burundi and in particular those that harm the political opposition, the media and civil society by restricting freedom of expression and of association and freedom to hold meetings;
  3. Calls on Burundian authorities to ensure an appropriate and fair balance between the freedom of the media, including the freedom of journalists to investigate and report on crimes, and ensuring the integrity of criminal investigations;
  4. Calls on the Burundi Government to allow a genuine and open political debate in the run up to the 2015 elections and to respect the Road Map and the Code of Conduct negotiated under the auspices of the United Nations and signed by all the Burundian political leaders; recalls that, according to the Burundian constitution "the President of the Republic is elected for a five year term renewable once. No one can serve for more than two terms as president;
  5. Calls on the Burundian Government to respect the electoral calendar; to include the parties from the opposition in the monitoring of the elections, including the phase of the partial new voters registration that has been agreed between the CENI and political parties in the evaluation meeting of the voters registration on 29-30 January 2015.
  6. Expresses great concern about interference by the government in the internal management of the opposition parties, the lack of freedom for these parties to campaign and the increasing tendency for the judiciary to exclude opposition leaders from the electoral process;
  7. Underlines importance of respecting the Code of Conduct in electoral matters (Code de bonne conduite en matière électorale) and the UN-brokered election roadmap which was signed by political actors in 2013, and fully supports the activities of the United Nations and International Community aimed at preventing a further increase in

political violence in the run-up to the 2015 elections and helping restore long-term security and peace;

8. Encourages all those involved in the electoral process to respect the commitments made in the Arusha Agreement recalling that this agreement put an end to the civil war and on the basis of which the Burundian Constitution is based, including bodies responsible for organising the elections and security services.
9. Underlines the leading role the EU should play in monitoring the pre-electoral situation so as to avoid any backsliding on commitments which could have a serious effect not only on the democratisation process but also on peace and security in Burundi and throughout the Great Lakes region;
10. Reiterates that Burundi is bound by the human rights clause of the Cotonou Agreement, the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights and therefore has an obligation to respect universal human rights, including freedom of expression; calls on the Government of Burundi to allow genuine and open political debate to take place ahead of the elections in 2015 without fear of intimidation, by refraining from interfering in the internal management of the opposition parties, from placing restrictions on campaigning for all parties, especially in rural areas, and from abusing the judiciary to exclude political rivals;
11. Calls on the EU High Representative and the Member States to continue working towards a clear and principled EU policy vis-à-vis Burundi that addresses the ongoing serious human rights violations, in line with the EU Strategic Framework on Human Rights; calls on the Commission to consider launching consultations with Burundi under Article 96 of the Cotonou Agreement with a view to possible suspension from the Agreement and to take any appropriate measures while they are conducted;
12. Calls on the EU High Representative to use the intensified political dialogue under article 8 of the Cotonou Partnership Agreement with the Burundian government to concretely address the closure of political space in Burundi and to set clear, concrete benchmarks to measure developments and a strategy to respond to them;
13. Instructs its President to forward this resolution to the Council, the Commission, the Member States, the Government of Burundi and governments of the countries of the Great Lakes region, the African Union, the Secretary-General of the United Nations, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly and the Pan-African Parliament.